



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,046	12/29/2000	Masahiro Yoshiasa	074273/0178	6705

22428 7590 01/05/2006

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

KOROBV, VITALI A

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/750,046	Applicant(s) YOSHIASA, MASAHIRO	
	Examiner Vitali Korobov	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 4,6,9,12,17 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7,8,10,11,13-16,18 and 20-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/2000</u> | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This Office Action is in response to the amendment filed 07/06/2005.

Claims 1, 2, 8, 11, 14 and 15 have been amended. Claims 4, 6, 9, 12, 17 and 19 have been canceled. Claims 24-26 are currently being added. Claims 1-3, 5, 7, 8, 10, 11, 13-16, 18 and 20-26 are presently pending for further consideration on the merits.

Paper Submitted

2. It is hereby acknowledged that the following papers have been received and placed of record in the file: **Information Disclosure Statements** as received on 12/29/2000 and the English language abstracts of the cited Japanese patents were considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2155

3. Claims 1-3, 5, 7, 8, 10, 11, 13-16, 18 and 20-23 are rejected under 35 U.S.C. 102(e) as being anticipated by the U. S. Patent No. 6,684,087 to Yu et al., hereinafter Yu.

Regarding claim 1, Yu teaches a gateway server system comprising: a convert section converting a first contents into second contents, wherein said first contents is received from a contents server in response to a request of a small terminal and said second contents corresponds to a display performance of a display section of said small terminal (column 6, lines 56-58; column 7, lines 8-16, where link server 300 acts as a gateway, receiving the image 500 from a content server, and processing it according with the parameters of a small device requesting it), wherein the convert section judges whether said first contents is a picture contents, and when said first contents is not said picture contents, said convert section does not convert said first contents into said second contents and in that case the gateway server provides the first contents to the small terminal in an unconverted format (column 5, lines 55-67, where Yu teaches a mobile device supporting HTTP protocol and states that there is no need to perform data mapping and, therefore, there is no need for conversion for HTTP callouts where no images are involved. Also note, as per column 8, lines 36-44, that user authentication, user mobile device parameters data and other non-image data does not get converted by the gateway 300); and an output section outputting said second contents to said small terminal (column 9, lines 10-11), wherein said display performance corresponds to the number of display pixels of said display section of said small terminal so that an image corresponding to the picture contents is sized according

Art Unit: 2155

to a size of the display section of said small terminal (column 7, lines 10-22, showing that the image 500, received from the content server as a size 640x480 pixels, is reduced to size 70x60, corresponding to the size of the screen of the mobile device).

Regarding claim 8, Yu teaches a contents obtaining system comprising: a terminal having a display section to display contents (figure 2, display 202), a contents server storing contents (figure 1, element 104), and a gateway server arbitrating a communication between said terminal and said contents server (figure 1, element 114; column 4, lines 7-12), and wherein said terminal outputs a first request for obtaining required contents to said gateway server (figure 6A, element 604), and wherein said gateway server outputs a second request for obtaining said required contents to said contents server in response to said first request (figure 6B, element 646; column 8, lines 45-47), and wherein said contents server outputs said required contents to said gateway server in response to said second request (column 8, lines 45-48), and when said required contents are picture contents said gateway server converts said required contents into a specific contents, wherein said specific contents correspond to a display performance of said display section of said terminal (column 6, lines 56-58; column 7, lines 8-16), and wherein said gateway server outputs said specific contents to said terminal (column 9, lines 10-11), wherein said gateway server judges whether said required contents are picture contents, and wherein when said required contents is not said picture, said gateway server does not convert said required contents into said specific contents and also does not convert said required contents in any manner, and said gateway server outputs said required contents instead of said specific contents to

Art Unit: 2155

said terminal (column 6, lines 56-67; column 7, lines 8-16. Note that information such as authentication and other text is not converted, only images are converted by the gateway.), and wherein said display performance corresponds to the number of display pixels of said display section of said small terminal so that an image corresponding to the picture contents is sized according to a size of the display section of said small terminal (column 7, lines 10-22, showing that the image 500, received from the content server as a size 640 by 480 pixels, reduced to size 70 by 60, corresponding to the size of the screen of the mobile device).

Claim 14 is rejected in view of the above rejection of claim 1. Claim 14 is essentially the same as claim 1, except that it sets forth the invention as a computer program product rather than a gateway server, as does claim 1.

Regarding claims 2, 15, and 22, Yu teaches all the limitations as applied to claims 1, 14, and 8, respectively. Yu further teaches means wherein the small terminal is one of a portable wireless telephone, a personal handyphone system (PHS) terminal, and a personal digital assistant (column 3, lines 55-60 and fig. 3A, where Air Network 308 supports PHS).

Regarding claims 3 and 16, Yu teaches all the limitations as applied to claims 1 and 14, respectively. He further teaches means wherein said second contents can be displayed in said display section (column 7, lines 24-25).

Regarding claims 5 and 18, Yu teaches all the limitations as applied to claims 1 and 14 respectively. Yu further teaches means wherein said convert section does not convert said first contents into said second contents, when said first contents is received

Art Unit: 2155

from said contents server in response to a request of a non-small terminal other than said small terminal, and wherein said output section outputs said first contents to said non-small terminal (column 6, lines 55-58, where Yu teaches taking into account user display parameters. Col. 7, lines 1-10 state that the purpose of conversion taught by Yu is to provide a proper image display on the user's terminal, which is inherently not performed when the size of the image matches the size of the user terminal).

Regarding claims 7 and 20, Yu teaches all the limitations as applied to claims 1 and 14, respectively. He further teaches means wherein said display performance corresponds to the number of display colors of said display section (figure 4 and lines 10-22, where Yu teaches image conversion based on the parameters of the display screen of the user, color being one of a number of attributes used).

Regarding claim 10, Yu teaches all the limitations as applied to claim 8. He further teaches means wherein said terminal is one of a small terminal and a terminal other than a small terminal, and wherein when said terminal is a small terminal, said terminal outputs said first request for obtaining said required contents to said gateway server, said first request including a information indicating that said terminal is a small terminal, and wherein when said gateway server does not receive said information, said gateway server does not convert said required contents into said specific contents and when the terminal is the small terminal, the gateway server converts the required contents into first specific contents and when the terminal is the terminal other than then small terminal, the gateway server converts the required contents into second specific contents different from the first specific contents (column 6, lines 30-35, 56-67; column

Art Unit: 2155

7, lines 8-16; column 8, lines 45-50). Note that the requesting device may be anonymous, in which case, the server would not alter the content. In addition, devices with different capabilities can access the server and it will produce different content catered to the device.

Regarding claim 11, Yu teaches a contents obtaining system with means for:

(a) outputting a first request for obtaining contents from a terminal to a gateway server (figure 6A, element 604);

(b) outputting a second request for obtaining said contents from said gateway server to a contents server in response to said first request (figure 6B, element 646; column 8, lines 45-47);

(c) outputting said contents from said contents server to said gateway server in response to said second request (column 8, lines 45-48);

(d) converting said contents into a specific contents in said gateway server, wherein said specific contents corresponds to a display performance of a display section of said terminal (column 6, lines 56-58; column 7, lines 8-16); and

(e) outputting said specific contents to said terminal from said gateway server (column 9, lines 10-11); and

(f) determining whether said contents are picture contents, wherein when the contents are not determined as picture contents in step (f), step (d) is not performed and step (e) includes outputting said contents, instead of said specific contents, in an unconverted format, to said terminal from the gateway server (column 6, lines 56-67; column 7, lines 8-16. In addition, column 7, lines 1-10 state that the purpose of

Art Unit: 2155

conversion taught by Yu is to provide a proper image display on the user's terminal, which is inherently not performed when the size of the image matches the size of the user terminal); and

(g) wherein when the contents are determined as picture contents, displaying said picture contents on the display section of said terminal based on the display performance that corresponds to the number of display pixels of said display section of said small terminal so that an image corresponding to the picture contents is sized according to a size of the display section of said small terminal (column 7, lines 10-22, showing that the image 500, received from the content server as a size 640 by 480 pixels, reduced to size 70 by 60, corresponding to the size of the screen of the mobile device).

Claim 13 is rejected in view of the above rejection of claim 10. Claim 13 is essentially the same as claim 10, except that it sets forth the invention as a method rather than a system, as does claim 10.

Regarding claim 21, Yu teaches all the limitations as applied to claim 1. He further teaches means wherein when said first contents are received from the content server in response to a request from a non-small terminal, the convert section does not convert said first contents into said second contents, and the output section outputs the first contents to the non-small terminal (column 6, lines; 56-67; column 7, lines 8-16). Note that any size terminal can request information and if it is a regular sized terminal, it would not require conversion. Column 7, lines 1-10 state that the purpose of conversion taught by Yu is to provide a proper image display on the user's terminal, which is

Art Unit: 2155

inherently not performed when the size of the image matches the size of the user terminal.

Regarding claim 23 as previously presented, Yu teaches all the limitations as applied to claim 10. He further teaches means wherein the first specific contents correspond to picture contents to suit a particular display of the small terminal, and wherein the second specific contents correspond to picture contents to suit a particular display of the terminal other than the small terminal (column 6, lines 30-35, 56-67; column 7, lines 8-16; column 8, lines 45-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu in view of the U. S. Patent No. 5,613,017 to Rao et al., hereinafter Rao.

Regarding claims 24, 25 and 26, Yu teaches all the limitations as applied to claims 8, 11 and 14, respectively. Yu further teaches means wherein the image corresponding to the picture contents is converted in size to fit the size of the display section of said small terminal (column 7, lines 10-22).

In column 2, lines 12-20, Yu teaches, that "In accordance with a set of parameters about the screen of the mobile device, the requested image is transformed

Art Unit: 2155

to a reduced version that fits well into the screen", and that the fragmentation of the image is performed in addition to sending a reduced version of the image to a mobile terminal. Further, in column 9, lines 4-6, Yu teaches that "Optionally, the image hierarchy 700 does not have to be generated upon receiving the original image from the resource. Depending on the implement preference, a detailed version of one of the sub-areas may be generated upon receiving a request specifically asking for the detailed version." This means that the image may not be divided into subsections depending on the implementation preference. However, Yu does not explicitly teach that the image is not inherently divided into a number of sub-areas.

Rao, in the analogous art related to image processing among media having different image output sizes, teaches the image processing technique, wherein the image is processed in order to fit the size of the display of a small terminal, and is sent to said small terminal as an undivided image (column 3, lines 37-48).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the image rendering techniques taught by Rao with the image rendering techniques taught by Yu, when the implementation preference in Yu does not call for detailed presentation of certain areas of the image (Yu, column 9, lines 4-6), and in order to provide display utilization in an optimum manner (Rao, column 3, lines 53-56).

5. **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part

Art Unit: 2155

of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

6. Applicant's arguments filed 07/06/2005 have been fully considered but they are not persuasive.

On page 1 of the "Remarks", the Applicants states:

"Rejection Under 35 U.S.C. & 102(a):

The Office Action rejects claims 1 3, 5 11, 13 16 and 18 23 under 35 U.S.C. § 102(a) as anticipated by U.S. Patent No. 6,684,08.7 to Yu et al. Applicant traverses this rejection for least the following reasons."

The Examiner respectfully submits that in the referenced Office Action the claims were rejected under 35 U.S.C. 102(e).

The Applicant argues - ***"As clearly recited in claim 1, the display performance corresponds to the number of display pixels of the display section of the small terminal so that an image corresponding to the picture contents is sized according to a size of the display section of the small terminal. Yu et al., on the other hand, divides an image into pieces and transmits each of the pieces separately to a terminal. The terminal of Yu et al. must then combine those pieces in order to display the image at the terminal. Accordingly, Yu et al. does not have a display performance such that an image corresponding to the picture contents is sized according to a size of the display section of the terminal that is receiving the picture contents."***

The Examiner respectfully disagrees, and refers the Applicant to column 7, lines 10-23 where it is clearly stated that the image as a whole is reduced from size 640 by 480 pixels to size 70 by 60 pixels. Yu states verbatim: "One aspect of the preprocessing is to reduce or decimate image 500 to the size of 70 by 60 pixels. A linear interpolation approach, known to those skilled in the art, is used to reduce image 500 to the appropriate size although there are other methods that are available to achieve essentially the same." "...reduce or decimate..." does not mean "break up" or "divide into sections". As Yu further points out, a linear interpolation approach, known to those skilled in the art, is used to reduce an image in size as a whole, not to break it up into pieces.

Therefore, the whole reduced image is transmitted to the screen of the mobile terminal, as can be clearly seen on fig. 5B. Then, if the user so desires, he may request an enhanced version of a section of the image to be transmitted to him, as evidenced by Yu's teachings in column 7, lines 42-52. Nowhere in Yu it is stated that the reduced image must be transmitted to the mobile terminal piece-by-piece and reassembled from pieces at the terminal, as the Applicant alleges.

The Applicant further argues - ***"That is, Yu et al.'s system does not provide a small terminal with the correct amount of picture contents of an image to be displayed at the small terminal, whereby the small terminal of the present invention does not have to process (e.g., combine information from several pieces of a received image) the received picture contents in order to display them on a display of the small terminal."***

The Examiner respectfully disagrees, and refers the Applicant to Fig. 5A, that shows "an exemplary image 500 that may be fetched from a service server on the Internet" (column 7, lines 1-3). Fig. 5B shows a reduced version of image 500 being displayed on screen 502 of mobile device 350 (column 7, lines 24-25). As can be clearly seen from these figures, image on the screen 502 is a whole, but reduced version of image 500 as fetched from a service server on the Internet.

Further, In column 2, lines 12-20, Yu teaches, that "In accordance with a set of parameters about the screen of the mobile device, the requested image is transformed to a reduced version that fits well into the screen", and that the fragmentation of the image is performed in addition to sending a reduced version of the image to a mobile terminal. In column 9, lines 4-6, Yu teaches that "Optionally, the image hierarchy 700 does not have to be generated upon receiving the original image from the resource. Depending on the implement preference, a detailed version of one of the sub-areas may be generated upon receiving a request specifically asking for the detailed version." This means that the image may not be divided into subsections depending on the implementation preference.

Applicant's arguments with respect to claims 24-26 have been considered but are moot in view of the new ground(s) of rejection, necessitated by the Applicant's amendment.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.


Art Unit: 2155

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov
Examiner
Art Unit 2155

01/01/2006
VAK



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER